

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OLIVIA MORA,

Plaintiff,

v.

CITY OF SEATTLE, *et al.*,

Defendants.

Case No. C24-1084-TL

ORDER TO SHOW CAUSE

Plaintiff has filed an application to proceed *in forma pauperis* (“IFP”) in the above-entitled action. (Dkt. # 1.) Plaintiff’s IFP application contains certain inconsistencies. Plaintiff states she has \$100.00 in a checking account and no money in a savings account, but also states she has “\$200.00 left in [her] account.” (*Id.* at 2.) Plaintiff states she receives income of \$1,300.00 per month and has expenses of \$10,411.62 per month, but does not explain how she pays her monthly expenses in excess of \$1,300.00.¹ (*Id.* at 1-2.) In addition, Plaintiff failed to fully complete the written consent for payment of costs. (*See* dkt. # 1 at 2.)

¹ The Court also notes Plaintiff’s IFP application here provides markedly different information than in an IFP application she filed in this Court two months ago reporting \$984.00 in monthly expenses. *See Mora v. Seattle Housing Authority*, C24-698-RAJ, dkt. # 1 at 2.

1 The district court may permit indigent litigants to proceed IFP upon completion of a
2 proper affidavit of indigence. *See* 28 U.S.C. § 1915(a). “To qualify for *in forma pauperis* status,
3 a civil litigant must demonstrate both that the litigant is unable to pay court fees and that the
4 claims he or she seeks to pursue are not frivolous.” *Ogunsalu v. Nair*, 117 F. App’x 522, 523
5 (9th Cir. 2004), *cert. denied*, 544 U.S. 1051 (2005). To meet the first prong of this test, a litigant
6 must show that he or she “cannot because of his [or her] poverty pay or give security for the
7 costs and still be able to provide him[or her]self and dependents with the necessities of life.”
8 *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948) (internal alterations
9 omitted).

10 The inconsistencies in Plaintiff’s IFP application leave the Court unable to determine if
11 Plaintiff cannot pay court fees. In addition, Plaintiff failed to fully complete the form. Under
12 these circumstances, Plaintiff should not be authorized to proceed IFP unless she corrects these
13 deficiencies.

14 Accordingly, Plaintiff is ORDERED to show cause by **August 12, 2024**, why the Court
15 should not recommend her IFP application be denied. Plaintiff may, in the alternative, file an
16 amended IFP application clarifying the inconsistencies identified above. Plaintiff is reminded to
17 fill in every blank space in the form. The Clerk is directed to send copies of this order to the
18 parties and to the Honorable Tana Lin.

19 Dated this 29th day of July, 2024.

20 

21 MICHELLE L. PETERSON
22 United States Magistrate Judge
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